

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

UNITED STATES DISTRICT COURT

for the

EASTON District of OKLAHOMA

____ Division

Case No.

CIV 19 - 303 JHP

(to be filled in by the Clerk's Office)

Rodney Douglas STEPHENS
Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

FILED

SEP - 9 2019

PATRICK KEANEY
Clerk, U.S. District Court

By _____ Deputy Clerk

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

All other names by which
you have been known:

ID Number

Current Institution

Address

Rodney Douglas Stephens
N/A
105705
Jesse Dunn Correctional Center
P.O. Box 316
TAFT OK 74463
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name

Job or Title (*if known*)

Shield Number

Employer

Address

~~Joe A. H. Baugh~~
Oklahoma Department of Corrections
DIRECTOR
N/A
Oklahoma Department of Corrections
2901 Classen Blvd
Oklahoma City OK 73106
City State Zip Code

☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name

Job or Title (*if known*)

Shield Number

Employer

Address

J. Kevin Stitt
GOVERNOR
N/A
STATE OF OKLAHOMA
2300 N. Lincoln Blvd
OKLA CITY OK 73105
City State Zip Code

☒ Individual capacity ☒ Official capacity

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Defendant No. 3

Name

Job or Title (if known)

Shield Number

Employer

Address

CHERI ATKINSON
~~Buddy HAWKER~~
 MEDICAL SERVICES MANAGER
 OKLAHOMA DEPARTMENT OF CORRECTIONS
 2901 CLASSEN BLVD SUITE 200
 OKC OK 73106
 City State Zip Code

☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name

Job or Title (if known)

Shield Number

Employer

Address

City State Zip Code

☐ Individual capacity ☐ Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

8 And 1 Amend

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

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- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

By overcrowding

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☒ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

On PAPER

- C. What date and approximate time did the events giving rise to your claim(s) occur?

THE DATE I WAS TOOK T A & R AT LEXINGTON OK
ON 8-21-2015 TIME WAS ABOUT 11AM THAT DAY

- D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

WHEN I GOT TO JESS DUNN CORRECTIONAL CENTER AND
THE WARDEN STARTED TO MAKE THIS MINIMUM TO A
MEDIMUM AND KEEP US LOCK DOWN TRUE COUNT 2-3
HR A DAY THEN I STARTED TO GET MEATA AND
EMOTIONAL DISTRESS THIS HAPPEN IN 2016

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

ON PAPER

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

PUNITIVE DAMAGES IN THE AMOUNT OF \$150,000.00
AND ALL COST ASSOCIATED WITH THESE PLEADINGS
I MEDATRIY REDUCE OVERCROWDING AND THE MONEY
I PUT OUT FOR COPIES OF ~~12,000~~ 1,200 OF THIS
CASE

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

Jess Dunn Correctional Center

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☒ Yes

☐ No

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☒ Yes

☐ No

☐ Do not know

If yes, which claim(s)?

Some of it

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- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No

- E. If you did file a grievance:

1. Where did you file the grievance?

JESS DUNN CORRECTIONAL CENTER

2. What did you claim in your grievance?

Overcrowding

3. What was the result, if any?

None

NOT ANYTHING

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

REQUEST OF STAFF TO MR. CLAY W/MANAGER - 144217
TO THE WARDEN SHARON MCCOY JDA 19-11 +
RESUBMITTAL IT THEN ON 6/3/19 TO ARA IN
OKLAHOMA CITY OK AND HAVE NOT GOT IT BACK
AS OF NOW I HAVE A COPY OF IT WITH ME
NOW

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F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

N/A

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

ATTACH THE documents

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

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A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

Plaintiff(s) _____

Defendant(s) _____

2. Court *(if federal court, name the district; if state court, name the county and State)*

3. Docket or index number

4. Name of Judge assigned to your case

5. Approximate date of filing lawsuit

6. Is the case still pending?

☐ Yes

☐ No

If no, give the approximate date of disposition. _____

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

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☒ Yes
☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit

Plaintiff(s) Rodney Douglas STEPHENS
 Defendant(s) MICHELLE DILLARD, ET AL.

2. Court (if federal court, name the district; if state court, name the county and State)

EASTERN DISTRICT - FEDERAL COURT

3. Docket or index number

CIV-19-248-RAW-SPS

4. Name of Judge assigned to your case

MAGISTRATE Judge STEVEN P. SHREDER

5. Approximate date of filing lawsuit

8-5-19

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

IT IS PENDING

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IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing:

8-29-19

Signature of Plaintiff

Printed Name of Plaintiff

Prison Identification #

Prison Address

Rodney Douglas Stephens
Rodney Douglas STEPHENS
105705
JACC - C1 Unit P.O. Box 316
TAFI OK 74463
City State Zip Code

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address

JOE M. ALLBAUGH
DIRECTOR



STATE OF OKLAHOMA

J. KEVIN STITT
GOVERNOR

OKLAHOMA DEPARTMENT OF CORRECTIONS
Jess Dunn Correctional Center

Date: May 1, 2019

To: Stephens, Rodney 105705

Location: Jess Dunn Correctional Center / C-1

From: Sharon McCoy, Warden *Sharon McCoy 5/10/19*

JDG19-11

Your grievance is being returned unanswered for the following reason(s):

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> | No informal action / "Request to Staff" response or evidence of submission attached. – Section VI.A. |
| <input type="checkbox"/> | Out of time from date of incident. RTS must be submitted within 7 calendar days of the incident. – Section V.B. |
| <input type="checkbox"/> | Grievances must be submitted by 15 calendar days from the date of the receipt of the response to the Request to Staff. – Section VI.A. |
| <input type="checkbox"/> | You were on grievance restriction and/or proper documentation not included. |
| <input type="checkbox"/> | Grievances shall not be submitted about matters that are in the course of litigation. – Section II.B. |
| <input type="checkbox"/> | No person may submit a grievance on behalf of another person. – Section III.F. |
| <input type="checkbox"/> | Must be legibly written or typed in blue or black ink. No pencil or other color of ink is allowed. – Section IV.B. |
| <input type="checkbox"/> | No additional pages or attachments are allowed – Section VI. A. |
| <input type="checkbox"/> | Misconduct Report – Section II.B. |
| <input type="checkbox"/> | Grievances shall not be submitted requesting monetary compensation. Section II.B. |
| <input type="checkbox"/> | Only one issue or incident allowed per grievance. – Section VI.A. |
| <input type="checkbox"/> | Not of a sensitive/emergency nature. You must follow the standard grievance process, including giving the appropriate party an opportunity to respond. – Section IX.D. |
| <input type="checkbox"/> | Grievances shall not be submitted that include requests for disciplinary action against staff. – Section II.B. |
| <input type="checkbox"/> | Privately contracted facility property issues are not grievable. – Section II.B. |
| <input type="checkbox"/> | Grievance not signed/dated or addressed to the appropriate administrator. |
| <input type="checkbox"/> | The original only must be submitted, no photocopies. |
| <input type="checkbox"/> | Only the current and correct DOC grievance (090124A – R 4/19) and "Request to Staff" forms will be accepted. |
| <input type="checkbox"/> | This grievance is unanswerable as there are no time frames specified for the alleged action(s) to have occurred. |
| <input type="checkbox"/> | You have failed to follow previous instructions for filing this grievance. Due to your continued failure to properly file this grievance you are now out of time. |
| <input checked="" type="checkbox"/> | Other: <u>You failed to properly submit your grievance and you will be afforded 10 days from this notice; you must follow OP-090124. Additional issues submitted in the grievance that were not presented in the initial RTS and your requested action was different.</u> |

Rodney Stephens 5-10-19
Inmate Signature of Receipt Date

Sharon McCoy 5-10-19
Staff Witness Signature Date

THIS OFFICE WILL NOT PROCESS INCOMPLETE/INACCURATE/OUTDATED FORMS

WARNING: All of the above can be found in OP-090124, and it is your responsibility to read and follow the OP's.
NOTE: Abuse of the grievance process as explained in section IX of OP-090124, can result in restrictions being imposed.

PO Box 316
TAFT, OK 74463
918-682-7841
FAX 918-682-4372
www.ok.gov/doc

INMATE/OFFENDER GRIEVANCE

Grievance no. JDG-19-11Grievance code: 04Response due: ~~5-13-19~~^{TW} 5-14-19

RECEIVED

APR 24 2019

Warden's Office
Jess Dunn CC

DO NOT WRITE ABOVE THIS LINE

Date April 19, 2019Facility or District JDCCName Rodney StephensFacility Housing Unit C-1ODOC Number 105705Date "Request to Staff" response received: 4-12-19

Have you previously submitted a grievance on this same issue? No If yes, what date Ø, facility Ø, grievance # Ø. You must submit this completed original within 15 days of the receipt of the response to the "Request to Staff". The "Request to Staff" must have been submitted within 7 days of the incident. Do not include/attach anything to this grievance except the "Request to Staff" including the response. You may quote from or make reference to statutes, operations, field, or administrative memoranda, department publications (time sheets, inventory forms, assessments, etc.). You will be permitted only one opportunity to correct any error(s) made in submitting your grievance.

1. The nature of your complaint. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per grievance. Use backside of this page only, if necessary. on 4-8-2019 I submitted a request to Staff to the C-unit team, with respect to (overcrowding) whereas, it is a substantial risk to my safety. Staffing shortages and high risk of prison violence.
2. Informal action taken (including dates) to resolve the complaint, as well as the names of those employees from whom you sought an answer to your grievance. I've made complaints "verbal" advising staff that this place JDCC is overcrowded, to Lieutenant Clay on March 12, 2019, on J. Dowling.
3. The action you believe the reviewing authority may lawfully take. Stop accepting new inmates at the Lexington Assessment Center, from County Jails until until the ODOC can get the population down to 80% capacity, in all ODOC facilities

Grievance report sent to (warden/district supervisor/correctional health services administrator):

Name Sharon McCoy
Rodney Stephens
Signature of GrievantTitle Warden
4-19-2019
Date Sent to Reviewing Authority

1. Original to file
2. Copy to inmate/offender

DOC 090124A (R 7/16)

APR 09 2019

Law Library
Jess Dunn CC

Must be submitted through the Law Library or Designated
Inmate/Offender Grievance Process
REQUEST TO STAFF

LAW LIBRARY
RTS # 144217 - 4ASSIGNED TO: Lt. CLAYDATE: 4-8-19 4-19-19

TO: Mr. Clay U/Manager FACILITY/DIST/UNIT: SDCC
(NAME AND TITLE OF STAFF MEMBER)

I have have not ☒ already submitted a "Request to Staff" or grievance on this same issue.
If yes, what date: facility: grievance #:
I affirm that I do do not ☒ have a grievance pending on this issue.
I affirm that I do do not ☒ have a lawsuit of any type pending that relates in any way to this issue.
If a lawsuit is pending, indicate case number and court:
This request does ☒ does not relate to a pending misconduct report. If it does, this request may only be answered by the disciplinary coordinator assigned to the misconduct.

SUBJECT: State completely, but briefly, the problem on which you desire assistance. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per "Request to Staff." Your failure to specifically state your problem may result in this being returned unanswered.

I'm exhausting my Administrative remedies per 42 U.S.C. 1997e "Prison Litigation Reform Act" (PLRA). Governor, Fallin and DOC Director, acting Warden at Jess Dunn CC, has failed to take proper administrative actions to reduce
(USE OTHER SIDE IF MORE SPACE IS NEEDED. DO NOT ATTACH ADDITIONAL PAGES.)

ACTION REQUESTED: State exactly how you believe your request may be handled; that is, what exactly should be done and how.

Punitive damages in the amount of \$150,000 and (a) cost associated with these pleadings. Immediately reduce overcrowding

NAME: Rodney Stephens (PRINT) DOC NUMBER: 105705 UNIT & CELL NUMBER: C1-

SIGNATURE: Rodney Stephens WORK ASSIGNMENT: Unass.

DO NOT WRITE BELOW THIS LINE

DISPOSITION:

Request denied per OP-090124 entitled Inmate grievance process. Inmate Stephens you cannot request monetary punitive damages by a request to staff.

Lt. Lane Clay

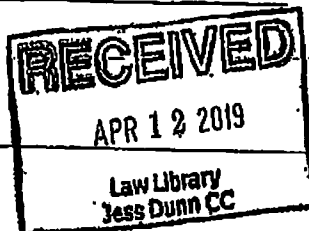
4-11-19

STAFF MEMBER

DATE

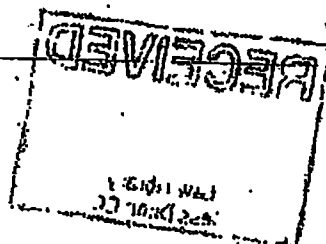
Date response sent to Inmate:

1. Original to file
2. Copy to Inmate/offender

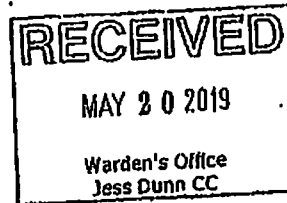


DOC 080124D (R 9/16)

(Overcrowding) including causing delays
in the implementation of Programs,
understaffing Policymaking. This overcrowding
has strained sanitation facilities, Food Supplies,
Prison Maintenance 8th Amend.



INMATE/OFFENDER GRIEVANCE

Grievance no. 19-11 106-19-19-26 Re-SubmittalGrievance code: 4Response due: 6-9-19

DO NOT WRITE ABOVE THIS LINE

Date May 16, 2019Facility or District JDECName Rodney Stephens
(Print)Facility Housing Unit C-1ODOC Number 105705Date "Request to Staff" response received: 4-12-19

Have you previously submitted a grievance on this same issue? yes. If yes, what date 4-19-19, facility JDEC, grievance # 106-19-19-11. You must submit this completed original within 15 days of the receipt of the response to the "Request to Staff". The "Request to Staff" must have been submitted within 7 days of the incident. Do not include/attach anything to this grievance except the "Request to Staff" including the response. You may quote from or make reference to statutes, operations, field, or administrative memoranda, department publications (time sheets, inventory forms, assessments, etc.). You will be permitted only one opportunity to correct any error(s) made in submitting your grievance.

1. The nature of your complaint. This statement must be specific as to the complaint, dates, places, personnel involved, and how you were affected. One issue or incident per grievance. Use backside of this page only, if necessary. ON 4-8-2019 I submitted a request to staff to the "C" unit team with respect to (overcrowding) whereas, it is a substantial risk to my safety. Staffing shortages and high risk of prison violence.
2. Informal action taken (including dates) to resolve the complaint, as well as the names of those employees from whom you sought an answer to your grievance. I've made complaints "verbal" advising staff that this place JDEC is overcrowded, to LT. Clay on March 12, 2019, and Dowling.
3. The action you believe the reviewing authority may lawfully take. Punitive damages in the amount of 150,000 and (a) 11 cost associated with these pleadings. Immediately reduce overcrowding.

Grievance report sent to (warden/district supervisor/correctional health services administrator):

Name Sharon McCoyTitle WardenSignature of Grievant Rodney StephensDate Sent to Reviewing Authority 5-16-19

DOC 080124A (R 7/18)

1. Original to file
2. Copy to Inmate/offender

Misconduct/Grievance Appeal To Administrative Review AuthorityInmate Name: Rodney StephensDOC Number: 105705Facility Where Offense/Grievance Occurred:
Jess Dunn Correctional Center / C1

Offense Code: _____

Date of misconduct violation: _____

☐ Facility Misconduct Appeal Number _____☒ Facility Grievance Appeal Number
JDG 19-11 (Re-Submittal)I received the response of the reviewing authority at the facility on: 6/3/19

Fill out this form in blue or black ink. Writing must be legible. I wish to appeal the reviewing authority's response to the misconduct/grievance on the following ground(s) only. DO NOT ATTACH ANY OTHER PAGES. (Use ONLY the back side of this page, if necessary). Your appeal will be returned to you unanswered if any other pages are submitted.

☐ Newly discovered/available evidence not considered by the reviewing authority, relevant to the issue, necessary for a proper decision, and why the evidence was not previously available which if considered may alter the decision (you must clearly state the newly discovered/available evidence); or

☒ Probable error committed by the reviewing authority in the decision such as would be grounds for reversal (you must clearly state the error committed by the reviewing authority, including citing the part of procedures or statutes not followed by the reviewing authority).

Response:

The reviewing authority exceeded its authority by returning my grievance appeal unanswered. "See Little vs. Jones 607 F. 3d 1245 (10th Cir. 2010). Per Prison Litigation Reform Act (PLRA) 42 U.S.C 1997(e) I'm bringing my complaint to the attention of the Administrative Reviewing Authority. This facility is over crowded.

I understand that in accordance with OP-060125/OP-090124, I will be charged \$2 to appeal a misconduct/grievance to the Administrative Review Authority or Chief Medical Officer, and that this form is also a request for disbursement of funds from my trust fund draw account. If I do not have enough funds to cover this cost, the amount will be collected as soon as funds become available.

Rodney Stephens
Signature of Inmate

6-3-19
Date

DOC 060125V (R 4/17)

STATEMENT OF CLAIM

B. IF THE EVENTS ARISE TO YOUR CLAIM AROSE IN AN INSTITUTION DESCRIBE WHERE AND WHEN THEY AROSE

THIS ISSUE BEGAN MANY YEARS AGO WHEN THE OKLAHOMA LEGISLATORS ENACTED LAW TO INCREASE THE PENALTIES OF SOME CRIMES WITHOUT THE FORESIGHT TO ENSURE THERE WOULD BE ADEQUATE BEDSPACE OR PERSONEL TO ACCOMODATE THE INCREASED NUMBER OF INMATE. SOME COUNTY, JAIL ARE OVERCROWED WITH DEPARTMENT OF CORRECTIONAL (D.O.C) INMATE A & R IS SO BACK LOGGED THAT INMATE ARE SOME TIME KEPT IN CONFINEMENT THERE FOR MANY WEEKS IN OVERCROWED AND INHUMANE QUARTERS THE OVERCROWDING IS AN ISSUE FROM THE TIME A CITIZEN IS CHARGED UNTIL THE DAY AN INMATE WALKS OUT THE PRISON GATE I ALSO LIKE TO SEE THAT MEDICAL QUIT TAKING MONEY OF INMATE BOOKS FOR THINGS THAT A INMATE DISNOT SEE A DR OR ANY KIND OF MEDICAL CARE OR MED

INJURIES

1 OF 4

5. IF YOU SUSTAINED INJURIES RELATED TO THE EVENTS ALLEGED ABOVE DESCRIBE YOUR INJURIES AND STATE WHAT MEDICAL TREATMENT IF ANY YOU REQUIRED AND DID OR DID NOT RECEIVE

MENTAL AND EMOTIONAL

I AM INTENTIONAL IN FILING OF MENTAL AND EMOTIONAL DISTRESS. I AM A INMATE AT THE MINIMUM SECURITY JESS DUNN CORRECTIONAL CENTER (JDCC) IN OKLAHOMA. ^{IS} COMPLAINT I CLAIMS THAT THE DEFENDANTS HAVE ACTED WITH DELIBERATE INDIFFERENCE TOWARD SERIOUS DANGER RESULTING FROM PRISON OVERCROWDING AND UNDERSTAFFING IN PARTICULAR I ALLEGES THAT ONLY ONE CORRECTIONAL OFFICER IS GENERALLY ON DUTY TO MONITOR ABOUT 250 INMATE HOUSED IN OPEN DORMS IN MY UNIT AND THAT ONLY ONE OFFICER AND SOMETIME NO OFFICER IS PRESENT ON THE UNIT I CLAIMS THAT OPEN DORMITORY HOUSING IS ESPECIALLY DANGEROUS BECAUSE IT CAN NOT BE EFFECTIVELY LOCKED DOWN I CLAIMS THAT PREVIOUS OPEN SPACE IN MY UNIT HAVE BEEN CONVERTED INTO BUNK HOUSING LEAVING

2 OF 4

VIRTUALLY WITH NO UNENCUMBERED SPACE AND I ALLEGES THAT STAFFING SHORTAGES RENDER THE PRISON UNABLE TO DISCIPLINE INMATE FOR INFRACTIONS I ALSO STATE THAT THESE CONDITIONS HAVING LED TO ENDEMIC PRISONER ON PRISONER VIOLENCE I HAVE WITNESSED FREQUENT INMATE ON INMATE ASSAULTS IN THE OPEN DORM HOUSING AND OUTSIDE IN THE YARD. I ALSO SAY THAT THE CONDITIONS PLACE PRISONER SAFETY AT SUBSTANTIAL RISK I THINK THAT IT IS A MATTER OF TIME BEFORE A MAJOR INCIDENTS OF VIOLENCE OCCUR. I THINK THAT THE CONDITIONS OF MY CONFINEMENT COUSE ME TO SUFFER SLEEP DEPRIVATION AND ANXIETY THEY ARE ALSO RODENT INFESTATION IN THE FOODSERVICE AREA AND ALSO IN THE DORMS I WOULD LIKE TO SAY THAT FOOD SERVICES ALSO SERVICE 3 TO 4 DAYS LEFT OVER TO THE INMATE THEY ARE ALSO LONG LINES TO ACCESS TO THE HEALTH SERVICE DEPARTMENT THE NURSES DEPRIVE US OF PROPER HEALTH CARE BY DENYING CARE THAT HAS A MEDICAL NECESSITY AND OR IS REQUESTED BY THE DOCTOR FOR THE INMATE

30F4

MANY TIMES THERE ARE NO OFFICERS
 PRESENT DURING THE INMATE MEALS INSIDE
 THE CHOW HALL. THERE ARE MORE PEOPLE INSIDE
 THAN WHAT THE CAPACITY THAT HAS BEEN
 SET BY. THERE IS ONLY ONE DOOR TO
 ENTER AND LEAVE, IF TROUBLE ARISES WE
 WOULD BE HARD TO PRESSED TO BE ABLE
 TO EXIT IN A SAFE AND ORDERLY MANNER
 THERE ARE ISSUES REGARDING OUR SAFETY
 BEFORE WE EVEN ENTER THE CHOW HALL
 BECAUSE OF LINE CUTTING ALSO ROUGH
 HOUSING AND INMATE BOTTLE NECKING THE
 ENTRANCE IS A SURE RECIPE FOR A
 SERIOUS SAFETY CONCERN THE OFFICERS
 DO LITTLE TO NOTHING TO RESOLVE THIS
 HEAR AT JESS DUNN CORRECTIONAL CENTER
 (JDCC) WAS MADE TO HOLD ONLY 500
 INMATE AND THERE ARE ABOUT 1150 INMATE
 HEAR AT THIS TIME AND THE FOOD HERE IS
 NOT WELL PORTIONED AS WE GO HUNGRY MORE
 OFTEN THEN NOT IT SEEMS TO ME THAT
 ELEMENTARY SCHOOL CHILDREN RECEIVE
 A BETER QUANTITY OF FOOD THEN WE DO
 ALSO THE NUTRITIONAL VALUE OF THE
 FOOD THEN WE DO RECEIVE IS SORELY

40F4

Lacking PER CAPITA COMPARING TO
THE GENERAL PUBLIC WE HAVE MORE
HEALTH ISSUES IN OUR POPULATION LIKE
HEART ATTACKS GALL BLADDER DISEASE
AND DIABETES IN NOT UNCOMMON AT ALL
MEDICAL RESEARCH HAS FOUND THAT
DIET CAN CERTAINLY CONTRIBUTE TO
THOSE HEALTH ISSUES AND MORE IF LOOKED
INTO